

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 18, 20 and 30 are currently being amended.

Claims 19, 21 and 26 are cancelled.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate status identifier.

After amending the claims as set forth above, claims 18, 20, 22-24, 27-31, 33, 34, 39-41, 44 and 45 are now pending in this application.

Examiner Interview Summary

On December 22, 2008, counsel of record Steven C. Becker conducted a telephonic interview with Examiner Antonio Caschera. The parties discussed the patentability of Claim 40 over Kraft, Helms and the Examiner's Official Notice. The parties further discussed the patentability of claim 29. Dutta was previously removed as a reference with respect to an earlier set of claims. Applicants proposed adding claims 21 and 26 to Claim 18. Examiner Caschera indicated that adding claims 21 and 26 to Claim 18 would overcome the current rejections, but that a supplemental search would be required. On January 6, 2009, Examiner Caschera phoned to indicate that his supervisor agreed that adding claims 21 and 26 to Claim 18 would overcome the current rejection, and that a supplemental search would be needed. Therefore, agreement was not reached on allowance.

In paragraph 1 of the Office Action, claims 18-20, 22-24, 27, 28, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kraft et al. (U.S. Patent 6,463,278) in view of Helms (U.S. Patent No. 5,952,992). This rejection is respectfully traversed.

Claim 18 has been amended to recite: “wherein the computing electronics are configured to adjust a brightness behind the plurality of input buttons based on signals from at least one of the plurality of light sensors” and “wherein the computing electronics are configured to adjust at least one other characteristic of the handheld computer based on signals from at least one other of the plurality of light sensors.” Kraft and Helms fail to teach or suggest these elements of Claim 18. Accordingly, reconsideration and withdrawal of the rejection of Claim 18 is respectfully requested. The remaining claims in this rejection depend from Claim 18 and are allowable for at least the same reason.

Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kraft, Helms and further in view of Alderman et al. (U.S. Patent No. 5,828,067). This rejection is respectfully traversed.

Claim 39 depends from Claim 18. Alderman fails to provide for the deficiency of Kraft and Helms noted above. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

In paragraph 3, claims 21, 26, 29-31, 33, 34, 44 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kraft, Helms and further in view of Dutta. This rejection is respectfully traversed.

Claims 21 and 26 depend from Claim 18. Dutta fails to provide for the deficiency of Kraft and Helms noted above.

Claim 29 recites first and second light sensors, adjusting a brightness behind the plurality of input buttons based on signals from the first light sensor, and adjusting at least one other characteristic based on signals from the second light sensor, wherein the computing electronics

are configured to generate a conditioned signal based on signals received from the first and second light sensor by ignoring a signal from one of the first and second light sensors. The proposed combination of Kraft, Helms and Dutta, even if proper, would fail to teach or suggest this particular arrangement. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 30-31, 33, 34, 44 and 45 depend from Claim 29 and are allowable for at least the same reason. Accordingly, reconsideration and withdrawal of the rejection of Claim 29 is respectfully requested.

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Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date /January 20, 2009/ _____

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5571
Facsimile: (414) 297-4900

By /Steven C. Becker/ _____

Steven C. Becker
Attorney for Applicants
Registration No. 42,308